

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

*[Columbia, South Carolina]*

HEARING # 13-11360

NOVEMBER 4, 2013

6:00 P.M.

DOCKET NO. 2013-201-WS:

UTILITIES SERVICES OF SOUTH CAROLINA, INC. - Application for  
Adjustment of Rates and Charges

TRANSCRIPT OF TESTIMONY  
AND PROCEEDINGS

VOLUME 4 OF 4

COMMISSIONERS PRESENT: G. O'Neal HAMILTON, *CHAIRMAN*, Nikiya M. 'Nikki' HALL, *VICE CHAIRMAN*; and COMMISSIONERS John E. 'Butch' HOWARD, Elizabeth B. 'Lib' FLEMING, Swain E. WHITFIELD, AND Comer H. 'Randy' RANDALL  
ADVISOR TO COMMISSION: Josh Minges, Esq.

STAFF: Jocelyn G. Boyd, Chief Clerk/Administrator; James Spearman, Ph.D., Executive Assistant to Commissioners; William O. Richardson, Advisory Staff; Jo Elizabeth M. Wheat, CVR-CM/M-GNSC, Court Reporter; and Afton Ellison, Hearing Room Assistant

APPEARANCES:

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**FLORENCE P. BELSER, ESQUIRE**, and **JEFFREY M. NELSON, ESQUIRE**, representing the SOUTH CAROLINA OFFICE OF REGULATORY STAFF

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P R O C E E D I N G S

**CHAIRMAN HAMILTON:** Please be seated. We'd like to welcome each of you to our night hearing. We're here tonight to hear your concerns, and we attempted to have this opposite of normal working hours, so those of you employed elsewhere could be here. We're happy to see the crowd that we have.

At this time, I'm going to turn it over to our attorney to give you the ground rules.

Mr. Minges?

**MR. MINGES:** Thank you, Mr. Chairman.

Good evening, folks. Please silence your phones. And if you would like to speak, please sign up in the back.

This proceeding before the Public Service Commission in Docket No. 2013-201-WS concerns the application of Utilities Services of South Carolina for a rate increase.

This public hearing has been scheduled on November 4, 2013, in the Commission's hearing room.

At this time, I'd like the parties to introduce themselves.

**MR. ELLIOTT:** Mr. Chairman, if you please, I'm Scott Elliott, and Mr. Charlie Terreni and I represent the applicant in this matter.

1                   **MR. NELSON:** Mr. Chairman and Commissioners,  
2                   Jeff Nelson, together with Florence Belser. We  
3                   represent the ORS. Also here tonight is Mr. Brad  
4                   Kirby in the back of the room, from our Consumer  
5                   Services Division --

6                   **MR. KIRBY:** [Indicating.]

7                   **MR. NELSON:** -- Ms. Dawn Hipp, and Mr. Willie  
8                   Morgan, from our Water & Wastewater Department.

9                   **MS. HIPPI:** [Indicating.]

10                  **MR. MORGAN:** [Indicating.]

11                  **CHAIRMAN HAMILTON:** Thank you, very much.

12                  **MR. MINGES:** Thank you. I also note that  
13                  Representative McEachern is here.

14                  Do you have some comments, Representative  
15                  McEachern?

16                  **REP. McEACHERN:** If this would be the  
17                  appropriate time, then I just have a couple of  
18                  comments.

19                  **MR. MINGES:** Would you please come forward to  
20                  the mic?

21                  **CHAIRMAN HAMILTON:** We're happy to have  
22                  Representative McEachern with us tonight. I think  
23                  he and I were raised on the same swamp in Dillon  
24                  County.

25                               [Laughter]

1                   **REP. McEACHERN:** Yes, sir, and I was just  
2                   trying to explain my name to them, from that part  
3                   of town --

4                               [Laughter]

5                   -- and it was a little difficult for us to do  
6                   that.

7                   Mr. Chairman and honorable members of the  
8                   Commission, I just appreciate this opportunity to  
9                   come before you, and definitely appreciate all the  
10                  help that we receive, and just to be able to come  
11                  at this hearing. And the other thing, too, is, I  
12                  appreciate what you do. And I apologize upfront  
13                  that y'all get blamed for a lot of things that we  
14                  do over there in the General Assembly.

15                             [Laughter]

16                  So, we thought y'all would appreciate that.  
17                  But, you know, we come here not in, you know, an  
18                  adversarial way, but definitely in a way of just us  
19                  being before you.

20                  Washington Heights community have been going  
21                  through this struggle for a while. And just if  
22                  you'll allow me just a couple of minutes, if you  
23                  will --

24                  **CHAIRMAN HAMILTON:** Certainly.

25                  **REP. McEACHERN:** -- just to kind of outlay it

1 to you, because it went from bad to worse. When  
2 you start talking about the Commission, I  
3 appreciate what you do and I know you'll go by the  
4 rules, and exactly what, in fact, you can rule on  
5 and what is exactly before us. But when you're  
6 looking at what they have struggled with over the  
7 years, it is quality-of-life issues. And sometime,  
8 when you say "Public Service Commission rate  
9 request," and those kind of things -- but yet  
10 you're talking about utilities, and utilities is in  
11 the heart of what we call quality-of-life issues.  
12 And we're talking about quality of life that's  
13 essential to life. Talking about -- in this case,  
14 we're talking about water.

15 But, see, they have a complicated kind of  
16 equation of their quality of life, because they get  
17 water and sewer from two different entities. The  
18 City of Columbia actually do their sewage, and it's  
19 not really on usage; it's a fee. We had the  
20 director of Utilities, simply did not give us an  
21 adequate way of how they calculated that fee. And  
22 so then you have that on one side, and they come  
23 and have water, and the water service that they  
24 have been very disappointed with, because of the  
25 fact -- see, a lot of times, you know, when we look

1 at issues as far as just different things like  
2 calculating what you regulate, also you're talking  
3 about pressure, you're talking about things that --  
4 you're talking about essential to life itself. I  
5 mean, when we can get water from heaven, we just  
6 seem to know that we can kind of do better at  
7 providing that service.

8 And so we start talking about water itself,  
9 and over the years that this community has gone  
10 through, and just the services they have received  
11 -- and you hear those testimonies, and I know they  
12 can do a whole lot better than I can, as far as  
13 that's concerned. I know this is a rate hearing,  
14 and if you will just understand, as you listen to  
15 the service that they have received, we have been  
16 going through this awhile.

17 I have a colleague of mine on Richland County  
18 Council, and he had the dubious job of following me  
19 in the same counsel district that I served -- and I  
20 apologize to him, as well -- and he has now taken  
21 up this cause at the local level and doing what he  
22 can. Because I was on county counsel, and probably  
23 even before me they were dealing with this issue.  
24 And we've been doing, as best we could, whatever we  
25 needed to do. Of course, Senator John Scott, at



1           the time -- currently -- and he was in the House  
2           and on county counsel, as well. So we've been  
3           going through these issues with the community. And  
4           so now as we come before you, and then now that you  
5           get the job of just listening to us and you  
6           calculating, as far as the rate increase and this,  
7           we just really appreciate it.

8           But we just ask that you just take the time to  
9           just listen to this and just apply it to the rules  
10          which you have. When you start talking about  
11          essentials of life, I just -- I just ask that you  
12          just look at that. When you're looking at the  
13          services that was rendered, the rates that they're  
14          paying, and looking at the increase of what's  
15          requested, and then what they would expect. But  
16          most of all, we're just thankful for the fact that  
17          you have given us this opportunity to come before  
18          you. You set this hearing, you know, just in a way  
19          that I just -- I'm just very grateful to you.

20          I'll pause at this time because I don't want  
21          to take up the residents' time, because they can do  
22          it a lot better, because they're the ones that have  
23          to utilize this service for their family, you know,  
24          and for everyday life itself. But I'll pause if  
25          anybody has any questions for me.

1 [No response]

2 **CHAIRMAN HAMILTON:** Hearing none,  
3 Representative McEachern, we thank you for being  
4 with us.

5 And I might point out to the folks that are  
6 here tonight that Representative McEachern is the  
7 person that requested that we hold this night  
8 hearing, for you to be able to attend.

9 Thank you, very much, for your service, too,  
10 sir.

11 **REP. McEACHERN:** I appreciate it very much.

12 **CHAIRMAN HAMILTON:** Yes, sir.

13 **REP. McEACHERN:** Thank you.

14 **CHAIRMAN HAMILTON:** Mr. Minges, would you like  
15 to finish your rules?

16 **MR. MINGES:** Yes, sir. Thank you.

17 In a moment, I'll be calling the names of  
18 those who signed up to speak --

19 **CHAIRMAN HAMILTON:** Some new folks have come  
20 in.

21 **MR. MINGES:** If you'd like to speak, please  
22 sign up in the back of the room. And also, again,  
23 please silence your phones, if you haven't done so  
24 already.

25 In a moment, I'll be calling the names of

1           those who have signed up to speak to come forward  
2           and be sworn in. Make sure to give your name and  
3           address and then proceed with your testimony.  
4           Also, please state whether you're a customer of the  
5           company.

6           So that everyone will have a chance to speak  
7           tonight, your testimony is limited to three  
8           minutes. And after you're done, please remain at  
9           the podium for any questions that the parties or  
10          the Commissioners might have.

11          I want to remind everyone that this is your  
12          time to testify on the proposed rate increase, but  
13          due to the judicial nature of this proceeding, the  
14          Commissioners are unable to take questions or make  
15          comments. The company and ORS will be available  
16          after the hearing for any questions that you might  
17          have.

18          With that Mr. Chairman --

19          **CHAIRMAN HAMILTON:** Thank you, Mr. Minges.

20          At this time, I'd like to introduce to you my  
21          fellow Commissioners who are here tonight. On my  
22          far left is Commissioner Howard, who represents the  
23          First Congressional District. Next is Commissioner  
24          Fleming, the Fourth Congressional District. Vice  
25          Chair Hall, the Sixth Congressional District. On

1 my far right is Commissioner Randall, who  
2 represents the Third Congressional District, and  
3 Commissioner Whitfield, who represents the Fifth  
4 Congressional District. And I'm O'Neal Hamilton,  
5 and I represent the Fifth -- Seventh Congressional  
6 District. The Fifth, before January. Okay.

7 [Laughter]

8 **MR. MINGES:** Are we ready?

9 **CHAIRMAN HAMILTON:** Yes, sir.

10 **MR. MINGES:** Thank you, Mr. Chairman. With  
11 that, I'll call the first name on our list.

12 Jocelyne Burrell? I hope I pronounced the  
13 name correctly. Would you please come forward?  
14 And Pearl Burrell, you're --

15 **MS. J. BURRELL:** Pearl Burrell -- Pearl  
16 Burrell's my mother.

17 [Witness affirmed]

18 THEREUPON came,

19 **J O C E L Y N N E P . B U R R E L L ,**  
20 who, having been first duly affirmed, testified as follows:

21 **WITNESS:** Again, my name is Jocelyne, middle  
22 initial "P," last name Burrell. My address is 11  
23 Kingstree Court, Columbia, South Carolina 29203.

24 And I would say I'm a part-time resident  
25 because my mother actually lives and utilizes the

1 services, but I'm there and my son lives there when  
2 I'm at work.

3 CHAIRMAN HAMILTON: If you would please give  
4 your testimony.

5 WITNESS: Okay. One is, the quality of the  
6 water is the biggest issue. There's very few times  
7 that the water is ever clear. It's always a brown  
8 color. I don't really feel safe in drinking it, or  
9 cooking with it. We actually use bottled water and  
10 we get a five-gallon thing of water.

11 Unfortunately, we do have to bathe with it because  
12 we can't bring that much water in. But even my son  
13 doesn't like to take a shower or a bath, because  
14 you consistently -- when you run the water in the  
15 bathtub, it is brown. It's hardly ever clear.

16 This is a 76-home community -- 76 -- about 76-  
17 to 80-house community. Currently, with the water  
18 pressure, we have no working fire hydrants, so if  
19 there's a fire the houses are going to be pretty  
20 much destroyed. The nearest fire hydrant is at the  
21 front entrance of the neighborhood, and the  
22 neighborhood itself goes back probably about at  
23 least a mile and a half.

24 We've had two houses that were totally  
25 destroyed because they couldn't fight it with the

1 pressure from the tanks that they had and having to  
2 go out to the street and bring in the line.

3 Poor notification by the water company itself.  
4 If they're ever out there flushing the lines, the  
5 residents have no idea when they're flushing the  
6 lines.

7 We had it tested. They tested like for E.  
8 coli and coliform, and they're saying it's okay;  
9 it's an adequate level. But to, honestly, look at  
10 the water, you wouldn't want to drink it. There  
11 are a number of health issues with a lot of  
12 residents that are out there. A lot of the  
13 residents that are there now are senior citizens.  
14 They bought it when they were younger and this is  
15 kind of like their retirement -- they are there to  
16 stay.

17 But just the quality of the water itself is,  
18 you know -- we even -- I even randomly checked and  
19 surveyed a lot of the neighbors in the  
20 neighborhood, just to ask them if they felt the  
21 water was good. Not one said yes. And most of  
22 them don't even use the water, except to bathe.  
23 They bring in water themselves.

24 So if you're going to go up on the rate, then  
25 I think the quality of water should be sufficient,

1           that you are comfortable in eating, drinking, and  
2           using it on a daily basis.

3           After we had a hearing back in June, that's  
4           when someone from their company came out and  
5           actually has now started going to different  
6           residents and testing the water. But I actually  
7           grew up in this neighborhood and I've been there  
8           for years. They stopped testing and going to the  
9           houses a long time ago. And the day that we even  
10          got the water tested at my mom's house by DHEC, we  
11          happened to call the guy because he was in the area  
12          and he came up. I think it shocked him that we  
13          were even testing the water.

14                   [3-minute alarm]

15          But since then, they've come out and done some  
16          things, but there's no notification as far as what  
17          they're doing.

18          And just to show you, this is what the water  
19          looks like [indicating].

20                   **CHAIRMAN HAMILTON:** Thank you, ma'am.

21                   **MR. MINGES:** Hold on one --

22                   **CHAIRMAN HAMILTON:** Just a minute, Ms.  
23          Burrell, if --

24                   **WITNESS:** Okay.

25                   **CHAIRMAN HAMILTON:** -- you would.

1 Do we have any questions of Ms. Burrell?

2 MR. ELLIOTT: No questions of Ms. Burrell. We  
3 appreciate her coming out tonight.

4 MR. NELSON: I don't have any questions, Mr.  
5 Chairman, but I would ask if she wants to -- I  
6 don't know if y'all want to put that in, or --

7 CHAIRMAN HAMILTON: That'd be fine.

8 MR. NELSON: Since she bothered to bring it  
9 with her.

10 CHAIRMAN HAMILTON: If you'd like to put it  
11 in, if Mr. Richardson will get it and turn it over  
12 to the clerk, and this will be Exhibit No. 19.

13 [WHEREUPON, Hearing Exhibit No. 19 was  
14 marked and received in evidence.]

15 CHAIRMAN HAMILTON: Any Commissioners have  
16 questions of Ms. Burrell?

17 COMMISSIONER FLEMING: Yes, Mr. Chairman.

18 EXAMINATION

19 BY COMMISSIONER FLEMING:

20 Q Good evening, Ms. Burrell.

21 A Yes, ma'am.

22 Q Do you know if the water -- does it come from a well?  
23 What is the source of the water?

24 A Apparently, there are two wells, and they just put in a  
25 third well. And when -- the young man that was out



1       there from US Utilities and the DHEC lady asked him when  
2       it had last been flushed, he said that he had just  
3       flushed it, I think, a month or so prior to that. And  
4       when she asked him what color was the water when he  
5       flushed it, he even admitted that it was that rusty  
6       brown color. And that's from a brand-new well. And  
7       even when they prior -- normally, when they've been  
8       testing it, apparently, they've been testing it from the  
9       well. Your water could be clear at that well, but  
10      what's going into the homes is not clear.

11   **Q**   Are they testing -- so they have started testing in the  
12      homes?

13   **A**   We saw them come out, and I know at least two residents  
14      where they went by and they took a bottle to them for it  
15      to get tested, but that was just the one time. And that  
16      was, I think, last month or month before last, when we  
17      saw them. Prior to that, there hadn't been anyone  
18      coming out testing it.

19   **Q**   And there's no prior notification when they're flushing  
20      the lines?

21   **A**   No, ma'am. No, ma'am. I've seen, probably in the last  
22      few years, there may be a sign that's like a business  
23      advertisement sign, that they may put at the very front  
24      entrance of the neighborhood, and it will say "Boil  
25      water," and it will have a start date on it, but when it

1 ends, no one knows because there's not even an end  
2 notice that's sent out. And if you're not looking for  
3 that sign, you could bypass it every day and not realize  
4 that it's concerning your water.

5 **Q** They don't put it on the doors of the homes?

6 **A** No, ma'am.

7 **Q** All right. So do you know if there's been --  
8 obviously, DHEC -- do they give you a reason for boiling  
9 the water?

10 **A** No, they just say that they're -- the little sign says  
11 about flushing, and to boil it. But that's like the  
12 only time. Just like normally you would see on TV like  
13 if a water line breaks or if they're doing something,  
14 and it will advise people to flush water? The residents  
15 in the neighborhood get no notification that they need  
16 to flush -- you know, either flush the line or boil  
17 their water because it's being flushed.

18 **Q** And if you have a problem, are they responsive when you  
19 call them about taking care of a problem, a service  
20 problem?

21 **A** Well, even when my mom has had a problem, they'd come,  
22 but they may come and they may do something, but there's  
23 no follow-up telling you what they've done or what's  
24 going on. So it's a lack of, really, communication --

25 **Q** Okay.

1     **A**     -- on so many parts. Because my thing is, if you're  
2           going to flush a line, let people know that you're doing  
3           that so that they know it's to be expected that there's  
4           going to be some stuff in the line. But that's not  
5           being done, and then you may turn on your water and  
6           you're getting stuff that's redder than that  
7           [indicating]. That's [indicating] even during the  
8           periods when it hasn't been flushed; that's on a daily,  
9           that the water looks that color, or even sometimes worse  
10          than that.

11    **Q**     And all the homes probably have phones, so they could be  
12          notified by phone --

13    **A**     Yes, ma'am.

14    **Q**     -- if they wanted to?

15    **A**     Yes, ma'am.

16    **Q**     Okay. Thank you.

17    **A**     You're welcome.

18                   **CHAIRMAN HAMILTON:** Do we have any additional  
19          -- Commissioner Howard?

20                                   **EXAMINATION**

21    **BY COMMISSIONER HOWARD:**

22    **Q**     Thank you for coming. I've got a couple of questions.  
23          My questions concern the fire hydrants.

24    **A**     Yes, sir.

25    **Q**     How many do you have? Do you know how many you have,

1 or --

2 **A** There's --

3 **Q** One every block or every so often?

4 **A** Huh-uh, no. There's -- I know there's one up on top of  
5 the hill, that's one; one down at the end, is two --  
6 there may be three? I think there's three in the entire  
7 neighborhood.

8 **Q** Is there any line item on your bill addressing fire  
9 hydrants? Do you pay extra for fire hydrants that you  
10 know of?

11 **A** On my tax bill. I don't think there's anything on the  
12 water bill.

13 **Q** Not on the water bill?

14 **A** But some of the residents can testify to that, because  
15 my mom -- she's the one that actually opens that; I  
16 don't.

17 **COMMISSIONER HOWARD:** Okay. Thank you, very  
18 much.

19 **CHAIRMAN HAMILTON:** Any other -- Commissioner  
20 Whitfield?

21 **COMMISSIONER WHITFIELD:** Thank you, Mr.  
22 Chairman.

23 **EXAMINATION**

24 **BY COMMISSIONER WHITFIELD:**

25 **Q** Ms. Burrell, you expressed some concern, you know,

1 talking with the company, and they've come out, but  
2 you've expressed some concern with the follow-up. Have  
3 you talked with the South Carolina Office of Regulatory  
4 Staff? I think they've identified some people here in  
5 the audience tonight that are from their Consumer  
6 Services Division. Have you ever dealt with them or  
7 talked with them?

8 **A** No, sir. Just the people at the US Utilities. Until  
9 tonight, this is the first time I've known about them.

10 **Q** Okay. Well, they are here. And also, especially with -  
11 - I share the concerns Commissioner Howard mentioned  
12 about the fire hydrant concerns that you've expressed.  
13 And you know, perhaps that, and some of these other  
14 concerns, you could address to them.

15 **A** Okay. And this is the people at this table  
16 [indicating]?

17 **Q** Yes, ma'am.

18 **A** Okay.

19 **COMMISSIONER WHITFIELD:** Thank you, Mr.  
20 Chairman.

21 **CHAIRMAN HAMILTON:** Thank you.

22 Any additional questions?

23 [No response]

24 If not, you may be excused, Ms. --

25 **MR. NELSON:** May I follow up?

1                   **CHAIRMAN HAMILTON:** I'm sorry. Yes, sir.

2                   **CROSS EXAMINATION**

3 **BY MR. NELSON:**

4 **Q** Ms. Burrell, the testing that's been done, do you know  
5 is it -- I mean, is it DHEC that's out there doing that,  
6 do you know, or is it the company? Do you know who's  
7 doing --

8 **A** It was the --

9 **Q** -- doing that right now?

10 **A** It was the company when I saw it. It was a guy in the  
11 US Utilities truck that came out and knocked on a few  
12 doors, and left the water -- I mean, left the container  
13 for the testing.

14                   **MR. NELSON:** Thank you.

15                   **CHAIRMAN HAMILTON:** Thank you, Ms. Burrell.

16                   You may be excused.

17                   **WITNESS:** Okay.

18                   [WHEREUPON, the witness was excused.]

19                   **MR. MINGES:** Some folks have walked in late.

20                   If you would like to speak, please make sure you  
21 sign up in the back of the room.

22                   And Pearl Burrell, would you please come  
23 forward? And Rose Clay, you're after Ms. Burrell,  
24 and if you wouldn't mind just coming to the front  
25 row here?

[Witness affirmed]

THEREUPON came,

**P E A R L   B U R R E L L ,**

who, having been first duly affirmed, testified as follows:

**COURT REPORTER:** Please give your name and address.

**WITNESS:** My name is Pearl Burrell. I live at 528 Briercliff Drive, Columbia, South Carolina. ZIP Code 29203.

Okay. The problem that I have is the water -- the discoloration of the water. When you go run the water in the bathtub, it's just like somebody urinate in the water. The water's brown. And when the guy came to the house to check my water, he also said the water was brown. And he said they didn't have to go to another house, because my house told the story, because the water was brown. And they just had a new well built and he said the water still was brown.

And by going up on the water bill, I don't -- I don't think we should pay the higher fee and the water's not doing us no good. We have to buy the water to use, and to cook with and drink.

**CHAIRMAN HAMILTON:** Is that your testimony, Ms. Burrell?

1                   **WITNESS:** Yes.

2                   **CHAIRMAN HAMILTON:** Thank you, very much. If  
3                   you'd just keep your seat, we'll see if anyone has  
4                   any questions.

5                   **MR. ELLIOTT:** No questions, Ms. Burrell, but  
6                   we appreciate you coming out.

7                   **MR. NELSON:** No questions. Thank you.

8                   **CHAIRMAN HAMILTON:** Any Commissioners,  
9                   questions?

10                  **COMMISSIONER HOWARD:** I do.

11                  **CHAIRMAN HAMILTON:** Commissioner Howard?

12                                   **EXAMINATION**

13                  **BY COMMISSIONER HOWARD:**

14                  **Q**    Ms. Burrell, I don't mean for you to be exact, but  
15                       roughly how much do you think you spend a month on  
16                       bottled water?

17                  **A**    Oh, I spend a lot on bottled water. I'd say about \$20-  
18                       something a month.

19                  **Q**    \$20-some?

20                  **A**    Yes.

21                               **COMMISSIONER HOWARD:** Okay, thank you.

22                               **CHAIRMAN HAMILTON:** Any other questions?  
23                       Commissioner Fleming?

24                               **COMMISSIONER FLEMING:** Yes.

25                  <



**EXAMINATION****BY COMMISSIONER FLEMING:**

**Q** Ms. Burrell, what about your clothes? Do you wash your clothes in that water? And if you do, does that leave them stained?

**A** I wash them in it, but it don't be stained.

**Q** Okay. So even your white clothes are not stained?

**A** No.

**COMMISSIONER FLEMING:** Okay, thank you.

**CHAIRMAN HAMILTON:** Any other questions?

[No response]

Thank you, very much, Ms. Burrell, for your testimony.

[WHEREUPON, the witness was excused.]

**MR. MINGES:** Ms. Clay, you are next. And Alberta Coit, you're after Ms. Clay, so you may be coming forward.

[Witness affirmed]

THEREUPON came,

**R O S E C L A Y ,**

who, having been first duly affirmed, testified as follows:

**COURT REPORTER:** If you would give your name and address, please.

**WITNESS:** Rose Clay. 520 Briercliff Drive.

**CHAIRMAN HAMILTON:** If you would, give your

1 testimony, Ms. Clay.

2 **WITNESS:** I'd like to kind of say the same  
3 thing, similar, about those lines. I've been  
4 living there since 1988, and we've been going  
5 through this problem on and off. They're asking --  
6 it's too long, for what we pay in water there, for  
7 the service. The service is not what we should be  
8 getting. We should be getting better service than  
9 what we get. And I think most of those houses --  
10 mine and even most of those houses down there,  
11 sometime the water is even browner than that  
12 [indicating], what you have in that container up  
13 there, when you turn the water on your bath, in  
14 your tub if you're using a tub, you know. It just  
15 -- we should not have to pay the money we pay with  
16 the quality of water we receive. It just doesn't  
17 make any sense.

18 **CHAIRMAN HAMILTON:** Thank you, very much, Ms.  
19 Clay.

20 Do we have any questions of Ms. Clay?

21 **MR. ELLIOTT:** No questions of Ms. Clay, but I  
22 appreciate you coming out.

23 **WITNESS:** Thank you.

24 **MR. NELSON:** No questions.

25 **CHAIRMAN HAMILTON:** Commissioners?

1 [No response]

2 Thank you, Ms. Clay, for testifying.

3 [WHEREUPON, the witness was excused.]

4 MR. MINGES: Ms. Coit, would you please come  
5 forward? And Torrey Rush, you're after Ms. -- am I  
6 pronouncing your name right?

7 MS. COIT: "Coit."

8 MR. MINGES: "Coit." Thank you. -- you're  
9 after Ms. Coit, if you wouldn't mind coming  
10 forward.

11 [Witness affirmed]

12 THEREUPON came,

13 A L B E R T A C O I T ,

14 who, having been first duly affirmed, testified as follows:

15 CHAIRMAN HAMILTON: Please go ahead, Ms. Coit.

16 WITNESS: My name is Alberta Coit. I live at  
17 500 Briercliff Drive. I've been living in my home  
18 since 1981.

19 The problem that I have from the beginning is  
20 that the water -- when I first moved in, you'd run  
21 water in the basin and it would actually -- if you  
22 add soap to it, it would actually turn blue. And  
23 that really scared me. It would turn a deep blue.  
24 And at the time, I had a little one, and I could  
25 not make formula for my child with that water

1           turning blue like that. So I've always, actually,  
2           bought water. I never drink or cook with this  
3           water, because I just don't feel like it's safe. I  
4           wish I didn't have to bathe in it, or do my clothes  
5           in it. And in the beginning, it did stain the  
6           clothes blue.

7           And I was told -- I actually had the water  
8           analyzed at DHEC three times. And I wish I still  
9           had those copies, but I think I'm going to try to  
10          contact DHEC and see if I can't get copies of these  
11          reports. After about 15 or 20 years, you get  
12          discouraged, and I think I just kind of misplaced  
13          them or threw them out. But I did have it analyzed  
14          and they'd always say, "Oh, the water is fine.  
15          There's nothing wrong with it; it's perfectly  
16          safe." The blue color was coming from, they said,  
17          copper, I think, washing out the pipes or whatever,  
18          from the well water. But I just don't feel like  
19          it's safe.

20          I don't think we should actually be paying  
21          what we are paying now, and then they want to  
22          actually increase the rates? If you've got to pay  
23          for something, you should be able to at least get  
24          quality -- at least get quality for what you pay.  
25          So I just don't think the rate increase is really

1 warranted.

2 **CHAIRMAN HAMILTON:** Thank you, very much, Ms.  
3 Coit.

4 Do we have any questions of Ms. Coit?

5 **MR. ELLIOTT:** No questions, but thank you,  
6 ma'am.

7 **MR. NELSON:** No questions.

8 **CHAIRMAN HAMILTON:** Commissioners?

9 [No response]

10 Thank you, very much, Ms. Coit. You may be  
11 excused.

12 [WHEREUPON, the witness was excused.]

13 **MR. MINGES:** Torrey Rush?

14 **COUNCILMAN RUSH:** Mr. Chairman, I'm the county  
15 council member for that district, and I would like  
16 to make comments, as opposed to testifying, if  
17 that's okay.

18 **CHAIRMAN HAMILTON:** That'd be fine. Thank  
19 you, very much, for being with us, Councilman.

20 **COUNCILMAN RUSH:** Well, thank you. And to the  
21 Chairman and fellow Commissioners, I thank you for  
22 this opportunity to speak on behalf of Washington  
23 Heights.

24 This was an issue -- I just was recently  
25 elected back in January, and this has been an issue

1           that we've been dealing with since I've been  
2           elected. When I first got elected, the  
3           constituents there came to me with the lack of  
4           quality of the water. And one thing that we -- I  
5           talked about, even running for office, was how do  
6           we bring quality of service back to our  
7           constituents?

8           And this is a basic quality-of-service life  
9           issue, when you're talking about purity of water.  
10          You're talking about water pressure; that goes to  
11          safety. Those are real issues that they're dealing  
12          with on a day-to-day basis. And in order -- I  
13          understand you have to have capital outlay with a  
14          new well, in order to justify a new rate hike, but  
15          if the quality is not there -- and that's what the  
16          constituents or the citizens are looking for, is  
17          the quality of service, and that's where our  
18          concern is, and that's where we are with it.

19          So I just ask that you keep that in  
20          consideration as you make your decision. And these  
21          people are -- you know, when they testify, this is  
22          not something they're making up; this is something  
23          they're living on a day-to-day basis. So just keep  
24          that in mind, as you make decisions, when we're  
25          looking at quality-of-life issues for these

1 citizens.

2 I thank you for your time.

3 **CHAIRMAN HAMILTON:** Thank you, very much,  
4 Councilman Rush, for being with us. We appreciate  
5 your taking time out of your busy schedule. I'm  
6 sure your constituents do, also.

7 **COUNCILMAN RUSH:** Thank you.

8 **MR. MINGES:** Robert Studdard, would you please  
9 come forward and be sworn in? And Lisa Lochbaum,  
10 you're after Mr. Studdard.

11 [Witness affirmed]

12 THEREUPON came,

13 **R O B E R T E . S T U D D A R D , J R . ,**  
14 who, having been first duly affirmed, testified as follows:

15 **CHAIRMAN HAMILTON:** Please give your  
16 testimony, Mr. Studdard.

17 **WITNESS:** Okay. My name is Robert E.  
18 Studdard, Jr. S-t-u-d-d-a-r-d. 225 Hamilton  
19 Drive. I moved in my house in 1990, just prior to  
20 retiring from the military.

21 The reason I'm here, I submitted a letter to  
22 Representative Clyburn, and I also submitted copies  
23 to you all on the 31st of January, and sent copies  
24 to the mayor, Representative McEachern, Mr. Scott,  
25 and the chairman of the Richland County Council,

1 and based on the quality of life, the water, and  
2 one of the biggest problems was the fire hydrant.

3 Basically, the letter says that about two  
4 doors from me, the lady's house caught on fire a  
5 few years ago, and there is a fire hydrant right in  
6 front of her house, next door. The fire department  
7 came out, hooked up to it, didn't have any water  
8 pressure. They had to unhook, go back up to  
9 Hardscrabble Road, rehook, and come back. By the  
10 time they got back to the house, it wasn't totaled,  
11 but it was considerable damage. And that's  
12 basically what I submitted. And I also sent it to  
13 -- sent the letter to all the residents. I went  
14 down to the county and got a list of all the  
15 residents, and sent them a copy telling them about  
16 the water situation and the fire.

17 **CHAIRMAN HAMILTON:** Would you like to put that  
18 letter into evidence?

19 **WITNESS:** Yes, I would.

20 **CHAIRMAN HAMILTON:** If you will -- if you'll  
21 hand it to Mr. Richardson, he'll see that it's  
22 given to the clerk.

23 Do you have any other testimony, Mr. Studdard?

24 **WITNESS:** That's basically it [indicating].

25 **MR. RICHARDSON:** [Indicating.]



1                   **CHAIRMAN HAMILTON:** All right, sir.

2                   **CHAIRMAN HAMILTON:** Okay. Do we have any  
3 questions of Mr. Studdard?

4                   **MR. ELLIOTT:** No questions. I appreciate his  
5 coming out.

6                   **MR. NELSON:** No questions. Thank you, sir.

7                   **CHAIRMAN HAMILTON:** Commissioners?

8                               [No response]

9                   Mr. Studdard, we thank you for being here and  
10 we thank you for your service.

11                   **WITNESS:** All right. Thank you.

12                               [WHEREUPON, the witness was excused.]

13                   **CHAIRMAN HAMILTON:** Exhibit No. 20.

14                               [WHEREUPON, Hearing Exhibit No. 20 was  
15 marked and received in evidence.]

16                   **MR. MINGES:** Lisa Lochbaum, would you please  
17 come forward to testify? And Jim Snipes, you're  
18 next, if you wouldn't mind coming forward to the  
19 front row?

20                               [Witness affirmed]

21 THEREUPON came,

22                               **L I S A   L O C H B A U M ,**

23 who, having been first duly affirmed, testified as follows:

24                   **COURT REPORTER:** Give your name and address  
25 first, if you will.

1                   **WITNESS:** Okay. My name is Lisa Lochbaum, and  
2 I live at 221 Dutchman Shores Circle, in Chapin, in  
3 the Dutchman Shores subdivision.

4                   **CHAIRMAN HAMILTON:** Go ahead, Ms. Lochbaum.

5                   **WITNESS:** I recognize some of you guys from  
6 when I brought an action against USSC several years  
7 ago, and I'd just like to express my continued  
8 dissatisfaction with the customer service of this  
9 company. We did make a lot of progress with that  
10 action, so I do thank you for that, but we still  
11 have continual problems with late billing, high  
12 billing, and kind of the gamut.

13                   My largest dissatisfaction is with the  
14 implementation of the pass-through mechanism. When  
15 this company asked for the pass-through mechanism,  
16 they cited to use it the same way St. John's, with  
17 Kiawah Island, did, but it passed it with pro rata.  
18 I'd like to ask that that be reversed. If that  
19 can't happen, alternatively, I'd like us to be  
20 billed straight through, the same per 1,000 gallon  
21 price that they are paying, reflected on our bills.  
22 Right now, the company is not incented to watch for  
23 leaks, even though there's a recommended 10 percent  
24 cap on non-account water, there is no mechanism to  
25 protect us from that, and we've been paying for a

1 considerable amount more than that, ever since  
2 implementation of the pass-through mechanism.

3 With the order that we got from our hearing  
4 last time, they said that they were going to do  
5 some kind of implementation of a true-up,  
6 experimental billing, to get our billing caught up.  
7 Nothing has happened. Our billing is still two to  
8 three months behind, every single month. So if we  
9 do have a leak, we have no way to know that that's  
10 happening until we are whopped with a huge bill.  
11 Um -- yeah, this was about the separate catch-up  
12 bills.

13 Again, I would like to say that I would like  
14 the 10 percent lost-water cap -- I don't know how  
15 you guys can do it, or how you can say it, but  
16 right now there is no audit mechanism for this  
17 company. The way that the City of Columbia bills  
18 them and then they bill us, even if you do a year-  
19 over-year spreadsheet, it never trues up. It just  
20 never does. I would like the pass-through  
21 mechanism completely taken away.

22 I think that that's about it, other than the  
23 fact that, you know, our bills are about three  
24 times, two times, higher than any other company --  
25 you know, people paying for the same water that we

1 receive. You know, my water supply charge  
2 fluctuates. It's, you know, \$5.3245, then --

3 [3-minute alarm]

4 -- it's \$5.3868, then it's \$5.2462. I mean,  
5 it goes up and down, all across the board.

6 And I think that that's about it.

7 **CHAIRMAN HAMILTON:** Thank you, very much, for  
8 testifying, Ms. Lochbaum.

9 Do we have any questions?

10 **MR. ELLIOTT:** No questions of Ms. Lochbaum. I  
11 appreciate you coming out.

12 **WITNESS:** Okay.

13 **MR. NELSON:** [Shaking head.]

14 **CHAIRMAN HAMILTON:** Commissioners.

15 **COMMISSIONER FLEMING:** Mr. Chairman.

16 **CHAIRMAN HAMILTON:** Commissioner Fleming.

17 **EXAMINATION**

18 **BY COMMISSIONER FLEMING:**

19 **Q** Have you talked with ORS about these complaints?

20 **A** Yes. And I do understand that they are recommending the  
21 10 percent water cap, and that they are recommending  
22 that -- basically we're passed through at the exact per  
23 1,000 gallon rate from City of Columbia, will show up on  
24 our bills, instead of having that pro rata mechanism  
25 built into it. So ORS seems to be doing work, you know,

1 sort of, I guess, advocating for us. It just feels like  
2 I have had to exert a considerable amount of unnecessary  
3 pressure to have these things done, over the years.

4 **Q** And what about the late billing? Have you discussed  
5 that with them, as well?

6 **A** I just called them about a week or two ago, and they  
7 said that, with bulk water, that that's always going to  
8 kind of be the case -- and I do tend to agree with that.  
9 I mean, they have to be billed before they can turn that  
10 around and bill a customer. But I think it's  
11 excessively behind. I don't think that there's any  
12 reason that there should be longer than a month delay  
13 after a billing goes out.

14 **COMMISSIONER FLEMING:** Thank you for coming.  
15 Appreciate it.

16 **CHAIRMAN HAMILTON:** Do we have any other  
17 Commissioner questions?

18 [No response]

19 Ms. Lochbaum, we thank you for testifying.

20 **WITNESS:** Thank you.

21 **CHAIRMAN HAMILTON:** Yes, ma'am

22 [WHEREUPON, the witness was excused.]

23 **MR. MINGES:** Jim Snipes, if you would come  
24 forward please? Thank you. And Valerie Coté? I  
25 hope I pronounced your name correctly. If you

1                   could please come to the front row.

2                               [Witness affirmed]

3 THEREUPON came,

4                               **J I M   S N I P E S ,**

5 who, having been first duly affirmed, testified as follows:

6                   **CHAIRMAN HAMILTON:** Mr. Snipes, go ahead, sir.

7                   **WITNESS:** Good evening, sir, Mr. Chairman and  
8 Commissioners. I'm Jim Snipes. I live at 4959  
9 Country Oaks Drive, Rock Hill, South Carolina.  
10 I've owned that home since 1997.

11                   Since that time, we've undergone, I guess, a  
12 transition of our water service. My understanding,  
13 when I bought a home in Country Oaks, was that we  
14 all owned our own water right to the community  
15 water district for Country Oaks. We're located in  
16 the county, just outside of Rock Hill, South  
17 Carolina. In 2006, or about that time, US  
18 Utilities had acquired the Country Oaks water  
19 maintenance from Bluewater Water System.

20                   And one day, I got up and took a drink of  
21 water, and it was highly chlorinated, and it had  
22 sort of an odor of AQUAMAG, which is a couple of  
23 chemicals that they add at the pump stations. One  
24 is to keep the pipes conditioned and, of course,  
25 the chlorine is added to kill bacteria. It seemed

1 a bit excessive, to the point that it burned. It  
2 was early in the morning; I'm getting ready for  
3 work. And it kind of had a burn to it, so I called  
4 -- US Utilities, at the time, had the water service  
5 -- and they came out to the house and they looked  
6 at the water, and the tech agreed -- the operator  
7 agreed that it tended to have a bit of chemical in  
8 it, a bit excessive. So -- but he said, "But it's  
9 not from us. We don't add anything to the water.  
10 You guys haven't been getting water from us for a  
11 couple of years now. Your water comes straight  
12 from the City of Rock Hill." I said, "Wow, I  
13 didn't know that. No one told us that you switched  
14 our water service." We thought we were still  
15 getting our underground-reservoir spring water from  
16 our wells. He said, "No, your wells were capped.  
17 They were dry, and they put in a line to the City  
18 of Rock Hill." The City of Rock Hill had,  
19 recently, around 2004-2005, put in a new water  
20 tower to service the growing area in the western  
21 side of Rock Hill, off of Rawlinson Road, and  
22 subsequent Miller Pond, and to service the Walmart  
23 shopping plaza.

24 So I contacted the city to just verify what  
25 the tech had told me. And, in speaking with the

1 city, they said, "Well, they have been purchasing  
2 water from us, and they can't mix or add anything  
3 to the water once it leaves the City of Rock Hill."  
4 It's already been, I guess, tested by the EPA or  
5 DHEC, whoever's responsible for that, "And it meets  
6 all the criteria that it needs to meet, to be sent  
7 out for purchase by the customer. And no one  
8 should add anything to or take anything away from  
9 that water in the line until it gets to the  
10 customer's home."

11 [3-minute alarm]

12 So basically he's saying that US Utilities  
13 shouldn't be adding anything to the water, or  
14 taking anything from it -- chlorine or AQUAMAG or  
15 even salt, for that matter.

16 After that, I talked with my representative  
17 from the Homeowners Association of Country Oaks.  
18 She said she was unaware of that.

19 I took a job out of town, kind of lost track  
20 of the situation. Fast-forward, coming back to  
21 Rock Hill, I still own the property, and learned  
22 that Utilities, Incorporated, had purchased the  
23 property -- you know, water system from US  
24 Utilities. And there was a bit of a  
25 misunderstanding for a lot of my neighbors in who



1           actually owned and serviced the water system, if it  
2           was US Utilities, Incorporated, or whether it was  
3           Utilities, Incorporated. And, of course, I  
4           understand it is Utilities, Incorporated, now;  
5           we've got that clarified.

6           So we've all been under the assumption over  
7           the last few years, since 2006, that we were  
8           getting our water from the City of Rock Hill, and  
9           they were passing the charge to Utilities,  
10          Incorporated, and then they were passing it on to  
11          us.

12          Since this proposal for a rate increase, I've  
13          learned that -- a couple of things. One, the  
14          operators with Utilities, Incorporated, were nice  
15          enough to verify for me and our residence that our  
16          wells are actually running. But there is a standby  
17          line, should we lose pressure or have a decrease in  
18          water in our system, to tie us into the City of  
19          Rock Hill. That is a backup. But in my  
20          conversation earlier, a few years earlier with the  
21          City of Rock Hill, with the superintendent over  
22          water, for the utility services, made the comment  
23          to me that you couldn't mix two water sources. So  
24          he said their wells would have to be capped, for  
25          them to serve us city water, because you're not

1           supposed to mix two sources. If one source is  
2           contaminated and the other source is clean, then  
3           it's much harder for DHEC or EPA to determine which  
4           source was a problem, if a problem arises.

5           Since they did reopen the wells -- I don't  
6           know how long they were capped; I don't know how  
7           long there was low pressure in the system. But  
8           they are asking for a rate increase from  
9           expenditures for the last six years. And if you  
10          don't mind, can I get just a bit of water? Can we  
11          pause for just a brief minute?

12                   [Brief pause.]

13          I apologize for that delay. So my concern as  
14          a resident is, one, all the residents in my  
15          association, we just had an association meeting  
16          Saturday, and I tried to bring them up to speed on  
17          what this was all about. Most of the folks in our  
18          neighborhood -- I think there's 150 houses or more,  
19          single-dwelling homes, in that neighborhood. And  
20          most of them work. They're at work, and they don't  
21          have time to handle details like this. When they  
22          get a notice that something is changing, you've got  
23          both parents working, if it's a two-parent home,  
24          and they just don't have time to follow up on these  
25          types of things. And the other is, our

1 neighborhood association, we didn't have time or  
2 the money to acquire an attorney to represent us in  
3 this. So I'm here on my behalf to testify for my  
4 concerns, and I know from speaking with my  
5 neighbors -- if you can take that into  
6 consideration -- they have some of these same  
7 concerns. And so one of those is this: When we  
8 bought our homes, we were all under the impression  
9 that we owned our water system. It says in our  
10 agreement that we will not drill wells on our  
11 properties, that we will purchase the water from  
12 Country Oaks Water District. That's ours. And  
13 each one of us own a stock -- they call it a stock  
14 -- in the neighborhood. So we own our community  
15 property, such as our ball field, our tennis court,  
16 and the water system. And each person has one  
17 stock and that gives them one vote to make changes.

18 We were never aware there was a change as to  
19 the service of the system being owned by someone.  
20 We just simply thought there was a company who  
21 maintained the wells -- they provided  
22 maintenance, not that they owned it. And because  
23 we considered it a community water system that we  
24 own, you know, the purpose of that is to serve the  
25 public need, which is all the residents who live in

1 the neighborhood, to provide water at a reasonable  
2 cost, and for the residents to agree to pay for  
3 expenses such as, you know, operator maintenance,  
4 infrastructure improvements to the system.

5 **CHAIRMAN HAMILTON:** Mr. Snipes, we've given  
6 you a great deal of latitude in the time limit. If  
7 you could kind of --

8 **WITNESS:** Yes, sir.

9 **CHAIRMAN HAMILTON:** I think we understand you.  
10 And, of course, you understand that we can't answer  
11 questions, but you can meet with ORS and the  
12 company, and I think they'll be happy to try to  
13 clarify this information that you've given to us at  
14 this time.

15 **WITNESS:** Well -- yes, sir. So, well, I guess  
16 I'll just wrap it up, then, and just tell you the  
17 concern is that, one, it's a public utility and it  
18 serves the community water service. They consider  
19 themselves a business and that they should make a  
20 return on investment, but actually it's a public  
21 service. And we understood it as being a nonprofit  
22 community well. And any improvements for  
23 infrastructure costs, we can understand that. But  
24 we do have a concern about allowing a six-year  
25 increase, from the last six years, at one time. We

1           feel that maybe, you know, there should be a  
2           graduated increase.

3           And so, we simply suggest that that would be a  
4           hard burden to pick up expenditures that they say  
5           they've spent in the last six years. We've also  
6           been grouped with all the other neighborhoods, and  
7           we don't know how much is being spent in each  
8           neighborhood. They list the amount that they've  
9           spent, but I don't see it itemized as to how much  
10          was spent in each neighborhood. And there's a  
11          question of, you know, should each neighborhood be  
12          responsible for the infrastructure improvements  
13          made in neighborhoods that are in different  
14          counties? We have a -- I have a concern about  
15          that, as well.

16                **CHAIRMAN HAMILTON:** All right.

17                **WITNESS:** But I do understand that for the  
18                need of -- to keep systems updated and from being  
19                antiquated, I understand that there are needs for  
20                increases to pay for the services, but not for  
21                profits. Particularly, if they're going out of  
22                South Carolina to another state and then sent back.

23                **CHAIRMAN HAMILTON:** Thank you, very much, for  
24                your --

25                **WITNESS:** Thank you, sir.

1                   **CHAIRMAN HAMILTON:** -- testimony. If you  
2 would keep your seat for a moment, we might  
3 possibly have some questions.

4                   **MR. ELLIOTT:** We appreciate Mr. Snipes driving  
5 all the way down here.

6                   **MR. NELSON:** I don't have any questions, Mr.  
7 Snipes, but you can get some information from Mr.  
8 Kirby in the back there, if you'll speak with him.

9                   **WITNESS:** Sure.

10                  **CHAIRMAN HAMILTON:** Do the Commissioners have  
11 any questions?

12                               [No response]

13                  Thank you, very much, for being here, Mr.  
14 Snipes. We appreciate you coming from Rock Hill,  
15 sir.

16                               [WHEREUPON, the witness was excused.]

17                  **MR. MINGES:** Valerie, would you come forward?  
18 Please spell your last name.

19                  **MS. COTE:** C-o-t-e, "Coté."

20                  **MR. MINGES:** Coté. Okay, I did get it. Thank  
21 you.

22                  And Cynthia Brown, you're after Ms. Coté.

23                               [Witness affirmed]

24                               <

25                               <

1 THEREUPON came,

2 VALERIE COTÉ ,

3 who, having been first duly affirmed, testified as follows:

4 CHAIRMAN HAMILTON: Go ahead with your  
5 testimony, please, ma'am.

6 WITNESS: Yes, thank you for having me today,  
7 and I appreciate what y'all are attempting to do.  
8 The only reason I'm here is, again, to give  
9 testimony like some of the other neighborhood folks  
10 have done, and to ask you all to take serious  
11 consideration with this particular subject on rate  
12 increase, because, as Mr. Snipes mentioned, I feel  
13 that, with the issue of the quality of water, with  
14 some of the deceptiveness of Utilities,  
15 Incorporated, the purposeful purchasing of older  
16 neighborhood water systems and not making the  
17 capital -- the necessary capital maintenance and  
18 improvements to the infrastructure, that the  
19 quality of the water overall is not what it should  
20 be and what it could be and what we deserve to have  
21 it be.

22 And, particularly, I'd like to say that the  
23 quality of water -- I'm in the Dutchman Shores  
24 subdivision. I apologize, I didn't state it. The  
25 Dutchman Shores subdivision, we still get, from

1           time to time, brown or yellow water. One of the  
2           other ladies testified it looks like someone has  
3           urinated in the water. It also has a very funky  
4           smell. It is not palatable. I have -- my husband  
5           and I spent a significant amount of money putting a  
6           pressure gauge at the road on our water meter.  
7           We've replaced all the pipes to our house,  
8           underneath our house, because we were told by  
9           Utilities, Incorporated, it was not their water; it  
10          was the pipes to our 1962 home. So we replaced  
11          pipes, we put a pressure gauge at the road. There  
12          are months where my husband and I are on the road  
13          for 2 to 3 weeks out of the month, and we still  
14          have higher water bills than 80 percent of the  
15          people that I speak to in other neighborhoods, and  
16          I think that's unacceptable. If they're going to  
17          spend the money to buy a water system and take over  
18          the water system, it's with the understanding that  
19          not only are they going to supply us with quality  
20          water, with quality service, but with reasonable  
21          rates. And I feel like their rates are already  
22          ridiculous for what they do for us.

23                   **CHAIRMAN HAMILTON:** Thank you, very much, for  
24                   testifying, Ms. Coté.

25                   Do we have any questions for the witness?



1                   **MR. ELLIOTT:** No questions. Thank you, Ms.  
2                   Coté, for coming.

3                   **MR. NELSON:** I didn't get your address.

4                   **WITNESS:** 228 Dutchman Shores, Chapin.

5                   **CHAIRMAN HAMILTON:** Commissioners?

6                               [No response]

7                   Thank you, very much, Ms. Coté, for your  
8                   testimony.

9                   **WITNESS:** Thank you, very much, for having me.

10                               [WHEREUPON, the witness was excused.]

11                   **MR. MINGES:** Cynthia Brown, please come  
12                   forward. And Luis Canty<sub>[sic]</sub>, you're next, and if you  
13                   wouldn't mind coming to the front, please.

14                               [Witness affirmed]

15                   THEREUPON came,

16                               **C Y N T H I A   B R O W N ,**  
17                   who, having been first duly affirmed, testified as follows:

18                   **CHAIRMAN HAMILTON:** Go ahead, Ms. Brown.

19                   **WITNESS:** Okay. I'm Cynthia Brown. I live in  
20                   the subdivision Washington Heights, 504 Briercliff  
21                   Drive. I've been there since 1989. And I would  
22                   like to also agree with a couple of my neighbors,  
23                   is that the water -- one thing is that water has  
24                   actually turned my tub brown. There's a  
25                   discoloration to my whole tub area, and even the

1 drainage behind my pipes, it has also turned brown  
2 because of the water. Of course, there's  
3 discoloration in my water when I run the water in  
4 the sink.

5 I moved there in 1989. I moved out in 2006 to  
6 another area. I came back to the same home, and  
7 I've got the same problems I had when I first moved  
8 there, as far as the discoloration with the water.  
9 Just brown, almost like a urine-looking color.  
10 Sometime, a smell to the water. Sometime, it's a  
11 funny taste to it, as well. I boil my water, as  
12 well, so that I can cook. I have teenagers. A lot  
13 of time, we have to plan when we're going to take  
14 showers, because of the water pressure. Everybody  
15 know we can't all take a shower at the same time  
16 because we're not going to get the water pressure  
17 that we need to get a good shower.

18 I boil all my water -- again, the appearance  
19 is cloudy looking. I had them come out and test my  
20 water two or three times, and every time they come  
21 out they would say that it's fine, everything is  
22 fine -- "It's supposed to look that way," and blah,  
23 blah, blah, blah. You know, I still have problems  
24 with that.

25 The customer service, I hate calling in to the

1           company, because a lot of time I've experienced  
2           just rudeness and nastiness. And I would say, I  
3           want service; I want what I'm paying for. You  
4           know, there's not a reason for you to be nasty to  
5           me. But customer service is horrible with the  
6           company, and I've always experienced that with  
7           them, as well.

8           Notifications. When we get notification that  
9           there has been some problems with the water, "Make  
10          sure you boil your water," seem like to me -- I  
11          work a lot of hours -- I always get those  
12          notifications after the fact, not -- I'm not made  
13          aware of that. So I'm not home, so by the time I  
14          get home, I've cooked with the water, or whatever  
15          -- even though I boil my water -- but the next two  
16          or three days, I'm like, "Oh, my God, the sign was  
17          up. I didn't even see the sign."

18          So, again, we're not getting notifications at  
19          our homes; we're getting a little sign on the  
20          outside. And if you're coming home, like I do  
21          sometimes, at 10:30 or 11 o'clock, you're not  
22          reading the sign, you know, to see that there's  
23          some problems with the water.

24               **CHAIRMAN HAMILTON:** Thank you, very much.

25               **WITNESS:** Thank you.

1                   **CHAIRMAN HAMILTON:** Thank you.

2                   Do we have any questions of Ms. Brown?

3                   **MR. ELLIOTT:** No, sir. Thanks, Ms. Brown, for  
4                   coming out.

5                   **MR. NELSON:** No questions.

6                   **CHAIRMAN HAMILTON:** Commissioners?

7                   [No response]

8                   Thank you, very much, for testifying, Ms.  
9                   Brown.

10                  [WHEREUPON, the witness was excused.]

11                  **MR. MINGES:** Lois Canty<sub>[sic]</sub>, would you please  
12                  come forward?

13                  **CHAIRMAN HAMILTON:** Have a seat, sir.

14                  [Witness affirmed]

15                  THEREUPON came,

16                               **L U I S   C A N T U ,**

17                  who, having been first duly affirmed, testified as follows:

18                  **WITNESS:** Good afternoon, ladies and  
19                  gentlemen. Thank you for hearing my testimony. My  
20                  name is Luis Cantu. I'm stationed -- I live at  
21                  5586 Oakcrest Road, in Sumter. I moved here last  
22                  year. I came here from overseas, stationed in  
23                  Korea. I'm active-duty Air Force, stationed at  
24                  Shaw.

25                  I purchased the property at 5586 Oakcrest

1 Road, and I noticed -- I've lived in 12 different  
2 -- more than 12 different countries. I'm a Chicago  
3 native, so from Illinois, I know what high bills  
4 can be, for any kind of utilities, and in the  
5 suburbs. I have never experienced bills so  
6 punishingly high as from this company.

7 I have a copy of a bill from a colleague I  
8 work with there at Shaw. He lives in the city, and  
9 I live just outside the gate. I live outside the  
10 gate, but apparently it's served by this company.  
11 My colleague had consumed 3,000 gallons of water,  
12 and his bill is \$17; and my bill, here, I have  
13 2,100 gallons and I pay \$29.75, and that's for the  
14 water usage; that's not to include the wastewater  
15 usage, which is \$40.56.

16 So I pay -- I live alone, by the way, I should  
17 probably mention. I live in a 1,000-square-foot  
18 home, alone. I use a water restrictor in my  
19 kitchen sink and also a water restrictor on my  
20 shower. I'm a military man, so I know how to take  
21 military showers, so --

22 [Laughter]

23 -- there's no way to restrict the water usage  
24 from paying over \$70 a month. And, again, that's  
25 punishingly high.

1 I don't know what else to submit, other than  
2 my bills and a sample bill from my colleague that  
3 works there, that lives there in Sumter. But,  
4 again, I cannot, in good conscience, recommend to  
5 anyone who's looking to buy a property in the area,  
6 to live with service by this company. I'm  
7 recommending to colleagues, "If you move, hopefully  
8 you'll move somewhere serviced by a competitor or  
9 live in the city," because the city -- I understand  
10 the city is a subsidized utility. However, you  
11 cannot justify a utility that's subsidized,  
12 allegedly, you know, through taxes, et cetera, for  
13 \$18 -- and that includes turning the water on and  
14 watching it vanish down the drain -- and to then  
15 charge you more than four times that amount for  
16 everyone else serviced by this company, this  
17 Utilities, Incorporated. So, it's an affront,  
18 really.

19 **CHAIRMAN HAMILTON:** Would you like to put your  
20 bills in as an exhibit?

21 **WITNESS:** I can. I just received these, so if  
22 they could be copied -- I would also like to pay  
23 them.

24 [Laughter]

25 Of course, we don't want any service -- I have

1 experienced service interruptions. Of course,  
2 there were several service interruptions, but  
3 there's no credit given. When you get service  
4 interruptions by any other utility -- phone,  
5 television, gas, or whatever -- most companies give  
6 you some sort of credit. We've received several  
7 service interruptions since the time I've been here  
8 since last year, last summer; I've received no --  
9 I've seen no compensation. I've only seen bill  
10 increases. And phoning back to my dad back in  
11 Chicago, he says, "Wow, I don't think -- nowhere in  
12 Illinois is that high."

13 **CHAIRMAN HAMILTON:** If you would, Mr.  
14 Richardson could make copies of your bills and  
15 return them to you.

16 **WITNESS:** Absolutely, you may.

17 **CHAIRMAN HAMILTON:** Before we ask any  
18 questions --

19 **WITNESS:** This is a copy of his bill, and the  
20 e-mail that authorized sending it to me, so --

21 **CHAIRMAN HAMILTON:** He'll get them back to  
22 you, sir.

23 **WITNESS:** Okay.

24 **CHAIRMAN HAMILTON:** And we'd certainly, before  
25 we go to questions, like to thank you for your

1 service.

2 **WITNESS:** Oh, you're welcome, sir.

3 **CHAIRMAN HAMILTON:** Do we have any questions?

4 **MR. ELLIOTT:** None. Thank you, Mr. Cantu.

5 **CHAIRMAN HAMILTON:** Any Commissioners have  
6 questions?

7 [No response]

8 Thank you, very much, for testifying.

9 **WITNESS:** Thank you.

10 **CHAIRMAN HAMILTON:** And your exhibit will be  
11 No. 21.

12 [WHEREUPON, the witness was excused.]

13 **MR. MINGES:** Mr. Chairman, we've reached the  
14 end of our list.

15 **CHAIRMAN HAMILTON:** Okay. We thank each of  
16 you for being here this evening and testifying, and  
17 the information that you have given to us will be  
18 made a part of the record in this case. Thank you,  
19 very much, and we stand adjourned.

20 **MR. ELLIOTT:** Mr. Chairman?

21 **CHAIRMAN HAMILTON:** Yes, sir.

22 **MR. ELLIOTT:** As we adjourn, if I might, the  
23 company -- we would like to submit responsive --  
24 verified, if you'd like -- testimony in response to  
25 all this. I would like to say, however, that our



1 position is, and we will demonstrate, that the fire  
2 hydrants in question are the City of Columbia's.

3 **CHAIRMAN HAMILTON:** Thank you, sir. That'll  
4 be fine, Mr. Elliott, and --

5 **MR. ELLIOTT:** Thank you, so much.

6 **CHAIRMAN HAMILTON:** -- we would understand  
7 that.

8 [WHEREUPON, at 7:00 p.m., the hearing in  
9 the above-entitled matter was adjourned.]

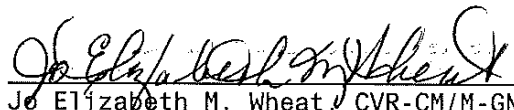
10 \_\_\_\_\_  
11 [WHEREUPON, Hearing Exhibit No. 21 was  
12 marked and received in evidence.]  
13 \_\_\_\_\_

C E R T I F I C A T E

I, Jo Elizabeth M. Wheat, CVR-CM-GNSC, Notary Public in and for the State of South Carolina, do hereby certify that the foregoing is, to the best of my skill and ability, a true and correct transcript of all the proceedings had and testimony adduced in a evening public hearing held in the above-captioned matter before the PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA;

That the witnesses appearing during said hearing were sworn or affirmed by me to state the truth, the whole truth, and nothing but the truth;

IN WITNESS WHEREOF, I have hereunto set my hand and seal, on this the 19<sup>th</sup> day of November, 2013.

  
Jo Elizabeth M. Wheat, CVR-CM/M-GNSC  
Hearings Reporter, PSC/SC  
My Commission Expires: January 27, 2021.